

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

**IN RE: MARCANTONIO W. BARNES,**

**Debtor.**

**Case No. 23-11190-KHK  
Chapter 11**

**NOTICE OF CHAPTER 11 PLAN DEFAULT**

Pursuant to the Plan of Reorganization for Small Business Under Chapter 11 (the “Plan”) filed by Marcantonio Barnes (the “Debtor”) on April 8, 2024 [Docket No. 100] and confirmed by an Order of Confirmation entered on May 17, 2024 [Docket No. 112], the Debtor is required to make certain Class H Plan regular monthly payments and quarterly cure payments (the “Payments”) to Newtek Small Business Finance, LLC (“Newtek”), which it has failed to make. The Debtor’s failure to make the Payments constitutes a default under the Plan. Pursuant to the treatment of Newtek’s Class H claim and the terms of the Plan, the Debtor has no right to cure the default since a previous default occurred by the Debtor within a rolling one-year period for which a Notice of Chapter 11 Plan Default was filed and properly served by Newtek on July 30, 2024 and on January 24, 2025.

**NEWETEK SMALL BUSINESS  
FINANCE, LLC**

By: /s/ Michael A. Condyles  
Counsel

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**KUTAK ROCK LLP**

Michael A. Condyles (VSB # 23807)  
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Richmond, VA 23219  
(804) 644-1700  
*Counsel to Newtek Small Business Finance, LLC*

**CERTIFICATE OF SERVICE**

Pursuant to the Local Rules of this Court, I certify under penalty of perjury that on April 22, 2025 a true and exact copy of the foregoing document was served by CM/ECF and first-class mail, postage prepaid and, to the extent indicated below, certified mail, return receipt requested, to:

Daniel Press, Esq.  
Chung & Press, P.C.  
6718 Whittier Avenue, Ste. 200  
McLean, VA 22101  
*Counsel to the Debtor*

Mr. Marcantonio W. Barnes  
10367 Gershwin Court  
Oakton, VA 22124  
*(via Certified Mail, Return Receipt Requested and Regular U.S. Mail, Postage Prepaid)*

Mr. Marcantonio W. Barnes  
10590 Beach Mill Road  
Great Falls, VA 22066  
*(via Certified Mail, Return Receipt Requested and Regular U.S. Mail, Postage Prepaid)*

Jack Frankel, Esq.  
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/s/ Michael A. Condyles  
Counsel